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<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		Docket Number (Optional) TI-31209
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First named inventor: Madhukar Budagavi et al.

Application No.: 09/896,386

Art Unit: 2613

MAY 06 2005

Filed: 06/29/2001

Examiner: TBD

Title: Network Video Method

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Attention: Office of Petitions  
 Mail Stop Petition  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 FAX (703) 872-9306

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OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
 Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of oath/declaration (identify type of reply):

has been filed previously on 12 October 2004.  
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.  
 has been paid previously on \_\_\_\_\_.  
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## 3. Terminal disclaimer with disclaimer fee

 Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required. A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Signature

5/6/2005

Date

Carlton H. Hoel

29,934

Typed or printed name

Registration Number, if applicable

PO Box 855474, M/S 3999

972-917-4365

Address

Telephone Number

Dallas, TX 75265

Address

Enclosures:  Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: Declaration of Carlton H. Hoel

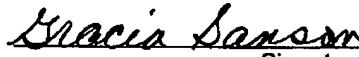
## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

 Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

5-6-05

Date



Signature

Gracia Sansom

Typed or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl.No.: 09/896,386  
Applicant: Budagavi  
Filed: June 29, 2001  
TC/AU: 2613  
Examiner: TBD

Confirmation No.: 9533

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Docket: TI-31209  
Cust.No.: 23494

MAY 06 2005

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Renewed Petition under 37 CFR §1.137(a)  
and Petition under 37 CFR §1.137(b)

MAY 18 2005

OFFICE OF PETITIONS

Mail Stop Petition  
Commissioner for Patents  
P.O.Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Dismissal of petition mailed March 9, 2005, applicant hereby requests reconsideration of his petition under 37 CFR §1.137(a) filed 12 October 2004 or, in the alternative, hereby submits a petition under 37 CFR §1.137(b) (a separate Petition under 37 CFR §1.137(b) is enclosed).

With regard to the reconsideration of applicant's petition under 37 CFR §1.137(a):

(1) The reply required to the outstanding Office notice (submission of signed declaration in response to Notice to File Missing Parts) was included in the petition filed 12 October 2004 (originally faxed to the USPTO 8 March 2004).

(2) The petition fee is authorized in the accompanying Fee Transmittal.

(3) The statement of facts as to unavoidable abandonment was included in the petition, and the enclosed declaration of Carlton H. Hoel provides the evidence of non-receipt lacking in the petition.

(4) No terminal disclaimer is required pursuant to Rule 137(d).

Appl.No.: 09/896,386  
Renewed Petition dated May 6, 2005  
Response to Dismissal mailed March 9, 2005

Respectfully submitted,



Carlton H. Hoel

Reg. No. 29,934

Texas Instruments Incorporated  
PO Box 655474, M/S 3999  
Dallas, Texas 75265  
972.917.4365

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl.No.: 09/896,386  
Applicant: Budagavi  
Filed: June 29, 2001  
TC/AU: 2613  
Examiner: TBD

Confirmation No.: 9533

Docket: TI-31209  
Cust.No.: 23494

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DECLARATION OF CARLTON H. HOEL

OFFICE OF PETITIONS

I, Carlton H. Hoel, do hereby declare:

- (1) I am an attorney of record in the above-identified application (the "Application") and the attorney at Texas Instruments Incorporated ("TI") assigned to prosecute the Application.
- (2) In response to the Notice of Abandonment mailed 28 November 2003, I prepared a petition under 37 CFR §1.137(a) which was faxed to the USPTO on 8 March 2004 and refaxed on 12 October 2004.
- (3) The USPTO dismissed the Petition citing a failure to provide evidence such as a copy of a mail log. The dismissal was mailed 9 March 2005.
- (4) A copy of a printout of the record in the TI patent database relating to the Application is attached. If a Notice to File Missing Parts had been received from the USPTO, then an entry such as "Notice Of Missing Parts" would appear together with pertinent dates in the record relating to the Application. There is no such entry.
- (5) In view of the attached evidence and the facts stated in the petition under 37 CFR §1.137(a), the abandonment of the Application was unavoidable.
- (6) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Carlton H. Hoel

May 6, 2005

IPMaster (v1.6.1) - [SQLOLEDB.1] d102. IPMaster - [Patent 78506 of 4]

File Edit Records Utilities Tools Help

Docket Number: T31209  
 County: United States  
 Case Type: Regular  
 Relation Type: Original Filing  
 Filing Type: National  
 Filing Number:

Attorney: Hoel, Carlton H.  
 Agent:  
 Client/Division: SC MISC  
 Current Owner: Texas Instruments  
 Previous Owner:  
 Con/Div:

**Network Video Method**

Inventors Filing Date	Other Number Related Info	Related IDs More	Title Actions	Text Abstract	Joint Ownership Expenses	Attorney Notes External File
Action						
Drawing Required or Due				5/23/2001	5/23/2001	Hoel, Carlton H.
Express mail Receipt			7/2/2001			
Application, Non-Provisional				5/29/2001	5/29/2001	Hoel, Carlton H.
Publication not applicable						
Notice of abandonment				11/28/2003		
Petition to Reinstate				3/8/2004	3/8/2004	Hoel, Carlton H.
Assignment				3/8/2004		Hoel, Carlton H.
Letter				10/12/2004	10/12/2004	Hoel, Carlton H.
Denied				3/9/2005		
Info Discr. Statement				9/28/2001	1/1/1930	
Abandon?				1/28/2004	1/1/1930	
Art Cite				4/7/2004	1/1/1930	
Renewed Petition				5/9/2005		
*						

Created: 5/23/2001 Updated: 3/22/2005 7:42:16 AM By: ENT\va0185

Start Microsoft ... Microsoft Word Microsoft ... Windows Media Internet E... 57° 11:06 AM

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MAY 18 2005

OFFICE OF PETITIONS

To: Technology Center 2600  
Facsimile Number: 703-872-9306

From: Carlton H. Hoel  
Texas Instruments Incorporated  
Facsimile: 972-917-4418  
Phone: 972-917-4365

Total Pages Sent: 7

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MAY 06 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Madhukar Budagavi  
Serial No: 09/896,386  
Filed: 6/29/2001  
Art Unit: 2613  
Examiner: TBD  
Docket No.: TI-31209  
Conf. No.: 9533  
Customer No.: 23494

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MAY 18 2005

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**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following papers are being transmitted by facsimile to the U.S. Patent and Trademark Office at 703-872-9306 on the date shown below:

Gracia Sansom  
Gracia Sansom

5-6-05

**FACSIMILE COVER SHEET**

<input checked="" type="checkbox"/> FAXSIMILE COVER SHEET (1 SHEET)	AMENDMENT (# Pages)
<input type="checkbox"/> NEW APPLICATION	EOT (# Pages)
<input type="checkbox"/> DECLARATION	NOTICE OF APPEAL (# Pages)
<input type="checkbox"/> ASSIGNMENT	APPEAL (# Pages)
<input type="checkbox"/> FORMAL DRAWINGS	ISSUE FEE
<input type="checkbox"/> INFORMAL DRAWINGS	<input checked="" type="checkbox"/> Renewed Petition under 37 CFR 1.137(a) & (b)
<input type="checkbox"/> CONTINUATION APP'N	<input checked="" type="checkbox"/> Pet for Rev. of an Appn Abandoned
<input type="checkbox"/> DIVISIONAL APP'N	Unintentionally
NAME OF INVENTOR(S):	
Madhukar Budagavi	
TITLE OF INVENTION:	
Network Video Method	
FILE NO.:	DEPOSIT ACCT. NO.:
TI-31209	20-0668
FAXED: 05/06/2005	
DUE: _____	
ATTY/SECY: CHH/gb	

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**Texas Instruments Incorporated**  
**PO Box 655474, M/S 3999**  
**Dallas, TX 75265**

PAGE 1/8 \* RCVD AT 5/6/2005 3:53:16 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/6 \* DNI5:8729306 \* CSID:972 917 4417 \* DURATION (mm:ss):00

05/12/2005 DALLAH 00000010  
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# FEE TRANSMITTAL For FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision

Complete if Known

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

\$1500

Application Number	09/896,386
Filing Date	6/29/2001
First Named Inventor	Madhukar Budagavi
Examiner Name	TBD
Art Unit	2613
Attorney Docket No.	TI-31209

## METHOD OF PAYMENT (Check all that apply)

 Check  Credit Card  Money Order  Other  Credit Card Order
 Deposit Account

Deposit Account Number **20-0668**  
 Deposit Account Name **Texas Instruments Incorporated**

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee	Fee	Fee	Fee
Code (\$)	Code (\$)	Code (\$)	Code (\$)
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) 

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
Fee	Fee	Fee	Fee	Fee	Fee
Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)
			-20 **	= 0 X \$18 = 0	
			- 3 **	= 0 X \$88 = 0	

SUBTOTAL (2) **\$0**

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fees Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for Oral Hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1500	2463	685	Petition to revive - unintentional	\$1500
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(b))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	780	2801	395	Request for Continuation Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$1500)

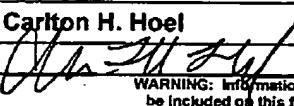
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MAY 18 2005

OFFICE OF PETITIONS

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Carlton H. Hoel	Registration No. (Attorney/Agent)	29,934	Telephone (972) 917-4365
Signature			Date	

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